

IN SENATE OF THE UNITED STATES.

FEBRUARY 11, 1846.

Submitted, and ordered to be printed.

Mr. YULEE made the following

REPORT :

[To accompany bill S. No. 81.]

The Committee on Private Land Claims, to whom was referred the petition of Benjamin Ballard, report :

That on the 8th May, 1840, William Moglin entered at the land office at Natchitoches, Louisiana, lots Nos. 1 and 4, of section 35, township 16, range 12, containing $90\frac{50}{100}$ acres. On the same day Elizabeth Parker entered northwest fractional quarter of section 27, in the same township, containing $60\frac{50}{100}$ acres. Both these entries were made by virtue of floating rights under the act of June 19, 1834, arising from a joint claim to a tract in township 19, range 6, situated, at the time those entries were made, in the Natchitoches district, but which was part of the Ouachita district.

On the 31st October, 1840, Moglin and Mrs. Parker sold the said tracts to Josiah Hale for four hundred dollars.

On the 26th November, 1840, Josiah Hale sold the same lands to Henry G. Williams for \$3,200 at twelve months' credit.

On the 6th June, 1841, Williams sold the same lands to the petitioner, Benjamin Ballard.

It appears that the validity of the original entry is denied by the Commissioner of the General Land Office, upon the ground, that, as the plat of said township 19, range 6, was on file in the Ouachita office as early as 1831, the original claim and the floats should have been proved up and paid for prior to the 19th June, 1836, the date of the expiration of the law of 19th June, 1834. Upon this ground, these entries were, on the 14th February, 1843, ordered to be cancelled.

The entry was made in good faith on the part of the purchasers. No collusion or fraud is charged or appears. The lands changed hands in the ordinary course of business transactions several times, without any caution or notice to the public on the part of the government of the existence of a doubt as to the sufficiency of the original entry. The cancellation was not made until nearly three years of undisputed possession and use of these lands by the purchaser and his assignees had transpired, and use of the consideration money by the government.

It appears to the committee that the case is one in which relief may properly be allowed against the laches of the government officers; and a bill is therefore reported.

IN SENATE OF THE UNITED STATES.

FEBRUARY 11, 1848.

Read, and ordered to be printed.

Mr. Yule made the following

REPORT:

[To accompany bill S. No. 81.]

The Committee on Private Land Claims, to whom was referred the petition of Benjamin Ballard, report:

That on the 8th May, 1840, William Moglin entered at the land office of the State of Louisiana, lots Nos. 1 and 4, of section 35, township 10, range 19, containing 80.5 acres. On the same day Elizabeth Parker entered at the same office, a fractional quarter of section 37, in the same township, containing 20.5 acres. Both these entries were made by virtue of contracts under the act of June 19, 1834, arising from a joint claim to a tract of land in range 19, township 10, situated at the time those entries were made, in the parish of Orleans, but which was part of the Orleans district.

On the 31st October, 1840, Moglin and Mrs. Parker sold the said tract to Joseph Hale for four hundred dollars.

On the 28th November, 1840, Joseph Hale sold the same lands to Henry Williams for \$3,200 at twelve months credit.

On the 8th June, 1841, Williams sold the same lands to the petitioner, Benjamin Ballard.

It appears that the validity of the original entry is denied by the Commissioner of the General Land Office, upon the ground that, as the plat of said township 10, range 19, was on file in the Orleans office as early as 1837, the original claim and the facts should have been proved up and paid at or before the 15th June, 1836, the date of the expiration of the law of the 14th Feb-
ruary, 1843, ordered to be cancelled.

The entry was made in good faith on the part of the purchasers. No collusion or fraud is charged or appears. The lands changed hands in the ordinary course of business transactions several times, without any notice or notice to the public on the part of the government of the ex-istence of a doubt as to the sufficiency of the original entry. The can-cession was not made until nearly three years of undisputed possession and use of these lands by the purchaser and his assignees had transpired, and use of the consideration money by the government.

It appears to the committee that the case is one in which relief may properly be allowed against the claims of the government officers; and a bill is therefore reported.